IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

Appeal No. 891 of 2005
In
Notice of Motion No. 2708 of 2005
In
Suit No. 2468 of 2005

Wanbury Ltd. .. Appellant
V/s.
Novartis A.G. & Ors. .. Respondents

Mr. I. Chagla, Sr. Advocate with Mr. Riyaz Chagla i/b. M/s. D.H. Law Associates for the Appellant

Mr. D.D. Madon, Sr. Advocate with Mr. Aspi Chinoy, Sr. Advocate, Ms. Anuradha Saihotra and Mr. Vinod Bhagat i/b. M/s. A.T. Bhagat & Co. for the Respondent Nos. 1, 2 and 5

CORAM : DR. S. RADHAKRISHNAN &
S.C. DHARMADHIKARI, JJ.
DATED : 18.10.2005.

P.C.:-

1. Heard the learned counsel for the Appellant and the Respondents. By this Appeal, the Appellant is challenging the order dated 22.9.2005, whereby the learned Single Judge has declined to grant any ad-interim relief. It may be noted here that the Defendants had not filed any Affidavit in Reply in the above.

2. Having regard to the facts and circumstances of the case, we expedite the hearing of the above Notice of Motion No. 2708 of 2005, with a liberty to the learned counsel for the parties to move the learned Single Judge for a fixed date of hearing. The Respondents shall file their Affidavits-in-Reply within a period of

three weeks from today and the Appellants shall file Rejoinder thereto within a period of two weeks thereafter.

3. Needless to state that the learned Single Judge while hearing the above Notice of Motion finally, shall not be influenced in any manner by the observations made in the order dated 22.9.2005. Appeal stands disposed of accordingly.

(DR. S. RADHAKRISHNAN, J.)

(S.C. DHARMADHIKARI, J.)